

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER 084706-000000US</b>
INTERNATIONAL APPLICATION NO. PCT/GB2004/005063	INTERNATIONAL FILING DATE December 2, 2004	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/541,740
<b>TITLE OF INVENTION</b> PESTICIDAL COMPOSITIONS		
<b>APPLICANT(S) FOR DO/EO/US</b> David MARKS		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/541,740		INTERNATIONAL APPLICATION NO. PCT/GB2004/005063		ATTORNEY'S DOCKET NUMBER 084706-000000US																					
<p>20. Other items or information: Express Mail Label No. EV383391870US</p> <p>Statement Under 3.73(b) with copies of Assignments</p>																									
<p>The following fees have been submitted</p> <p>21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)) ..... \$300</p> <p>22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). ..... \$0 All other situations ..... \$200</p> <p>23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). ..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$400 All other situations ..... \$500</p>				CALCULATIONS	PTO USE ONLY																				
<b>TOTAL OF 21, 22 and 23 =</b>				\$																					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$																					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE																						
- 100 =	/50 =		x \$250	\$																					
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ 130																					
<table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>- 20 =</td> <td></td> <td>x \$ 50</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td></td> <td>x \$200</td> </tr> <tr> <td colspan="2"><b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b></td> <td></td> <td>+ \$360</td> </tr> <tr> <td colspan="4"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> </tr> </tbody> </table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	- 20 =		x \$ 50	Independent claims	- 3 =		x \$200	<b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b>			+ \$360	<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																						
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<b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b>			+ \$360																						
<b>TOTAL OF ABOVE CALCULATIONS =</b>																									
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.				\$ 65																					
				<b>SUBTOTAL =</b>	\$ 65																				
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$																					
				<b>TOTAL NATIONAL FEE =</b>	\$ 65																				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$																					
				<b>TOTAL FEES ENCLOSED =</b>	\$ 65																				
				Amount to be refunded:	\$																				
				Amount to be charged:	\$ 65																				

06/07/2006 LLANDGRA 00000046 201430 10541740

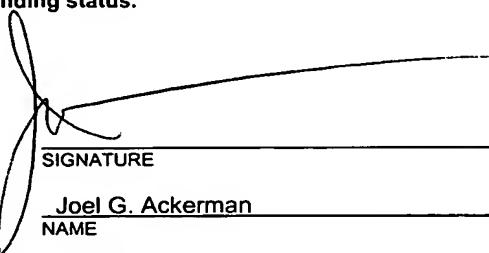
01 FC:2617 65.00 DA

- a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. 20-1430 in the amount of \$ 65 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Joel G. Ackerman  
 TOWNSEND AND TOWNSEND AND CREW LLP  
 Two Embarcadero Center, Eighth Floor  
 San Francisco, CA 94111-3834

  
 SIGNATURE  
Joel G. Ackerman  
 NAME  
24,307  
 REGISTRATION NUMBER

60787993 v1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

David MARKS

Int'l Application No.: PCT/GB04/05063

U.S. Application No.: 10/541,740

Int'l Filing Date: December 2, 2004

For: PESTICIDAL COMPOSITIONS

Customer No.: 20350

Confirmation No.: 3889

Examiner:

Art Unit:

**TRANSMITTAL LETTER –  
RESPONSE TO NOTIFICATION OF  
MISSING REQUIREMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Notification of Missing Requirements, dated April 3, 2006, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration;
- 2) Executed Power of Attorney by Assignee;
- 3) Executed Certificate of Assignee Under 37 C.F.R. § 3.73(b);
- 4) Information Disclosure Statement, SB08, copies of the International Search Report and U.K. search report, and copies of 16 references; and
- 5) Copy of Notice of Missing Parts.

Please charge Deposit Account No. 20-1430 for the following fees:

Small Entity: (g) Missing Parts Surcharge \$65

**TOTAL FEES TO BE CHARGED** \$65

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in duplicate.

Respectfully submitted,

Joel G. Ackerman  
Reg. No. 24,307

**Customer No. 20350**

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415 576-0300  
JA:sba

60787964 v1



## UNITED STATES PATENT AND TRADEMARK OFFICE

084706-000000US  
JSA, SF

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.	
10/541,740	David MARKS	084706-000000US	
		INTERNATIONAL APPLICATION NO.	
		PCT/GB04/05063	
		I.A. FILING DATE	PRIORITY DATE
		12/02/2004	12/02/2003
CONFIRMATION NO. 3889			
371 FORMALITIES LETTER			
 OC000000018437500*			

*Response Due 06/03/06*

Date Mailed: 04/03/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/06/2005
- Copy of the International Search Report filed on 07/06/2005
- Preliminary Amendments filed on 07/06/2005
- Request for Immediate Examination filed on 07/06/2005
- U.S. Basic National Fees filed on 07/06/2005
- Priority Documents filed on 07/06/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

*[Signature]*

FRANCINE YOUNG

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Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541,740	PCT/GB04/05063	084706-000000US

FORM PCT/DO/EO/905 (371 Formalities Notice)